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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** Reeve **CONFIRMATION NO.:** 3812  
**SERIAL NUMBER:** 10/736,493 **ART UNIT:** 3763  
**FILING DATE:** 12/15/2003 **EXAMINER:** Not yet assigned  
**TITLE:** DELIVERING AN AGENT TO A PATIENT'S BODY

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicant hereby makes of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Pursuant to 37 C.F.R. § 1.98 (d), references listed on the accompanying Form PTO-1449 were previously cited and made of record in prior application, United States Serial No. 09/855,566, which is relied upon by the present application for an earlier effective filing date under 35 U.S.C. § 120. Accordingly, copies of the references are not enclosed. In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), a copy of reference A106 also is not enclosed.

In addition, Applicants wish to inform the Examiner about the following patent, and the contents of its file wrapper, including all Office actions issued therein.

- 1) U.S.S.N. 09/855,566, entitled "Delivering an Agent to a Patient's Body," filed on May 15, 2001, and issued on February 3, 2004, as U.S. Patent No. 6,685,745 (Reference A106).

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed  
(CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

**STATEMENT**

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

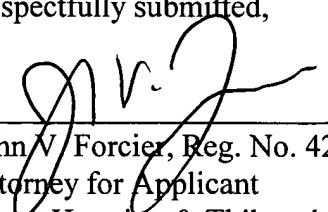
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,

Date: October 12, 2004

Tel. No.: (617) 248-7675  
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\_\_\_\_\_  
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OCT 14 2004

# TRANSMITTAL FORM

Application Serial Number	10/736,493
Filing Date	December 15, 2003
First Named Inventor	Reever
Group Art Unit	3763
Examiner Name	Not yet assigned
Attorney Docket No.	BSC-168DV
Patent No.	Not applicable
Issue Date	Not applicable

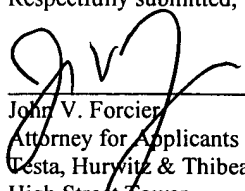
## ENCLOSURES (check all that apply)

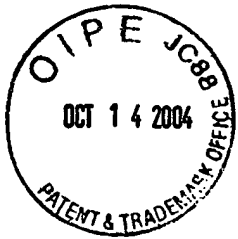
- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><input type="checkbox"/> Petition for Extension of Time<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input checked="" type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application<br><input type="checkbox"/> Formal Drawing(s)<br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> CD(s) for large table or computer program<br><input type="checkbox"/> Amendment After Allowance<br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><input type="checkbox"/> Appeal Brief (in triplicate)<br><input type="checkbox"/> Status Inquiry<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|---|---|---|

## CORRESPONDENCE ADDRESS

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## SIGNATURE BLOCK

Respectfully submitted,  
  
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PATENT  
Attorney Docket No.: BSC-168DV  
(1002/1503)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Reever CONFIRMATION NO.: 3812  
SERIAL NO.: 10/736,493 GROUP NO.: 3763  
FILING DATE: December 15, 2003 EXAMINER: Not yet assigned  
TITLE: DELIVERING AN AGENT TO A PATIENT'S BODY

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12<sup>th</sup> day of October, 2004.

  
Lisa Marie Solis

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

1. Transmittal Form (1 page);
2. Information Disclosure Statement (2 pages);
3. Form PTO-1449 (5 pages); and
4. Return receipt postcard.

3126957-1



<b>FORM PTO - 1449</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>	<b>ATTORNEY DOCKET NO.:</b> BSC-168DV <b>APPLICANT(S):</b> Reeve <b>SERIAL NO.:</b> 10/736,493 <b>FILING DATE:</b> December 15, 2003 <b>CONFIRMATION NO.:</b> 3812 <b>GROUP NO.:</b> 3763
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**U.S. PATENT DOCUMENTS**

EXAM. INIT.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	2002/0128705 A1	09/12/02	Devonec <i>et al.</i>		07/06/01
	A2	2002/0055787 A1	05/09/02	Lennox <i>et al.</i>		05/14/99
	A3	3,811,450	05/21/74	Lord		10/25/72
	A4	3,923,066	12/02/75	Francisoud <i>et al.</i>		12/27/74
	A5	4,026,296	05/31/77	Stoy <i>et al.</i>		03/03/75
	A6	4,307,723	12/29/81	Finney		02/08/80
	A7	4,655,771	04/07/87	Wallsten		04/11/83
	A8	4,713,049	12/15/87	Carter		08/05/86
	A9	4,732,152	03/22/88	Wallsten <i>et al.</i>		12/05/85
	A10	4,842,597	06/27/89	Brook		05/15/87
	A11	4,931,037	06/05/90	Wetterman		10/13/88
	A12	4,954,126	09/04/90	Wallsten		03/28/89
	A13	4,955,859	09/11/90	Zilber		07/07/89
	A14	4,973,301	11/27/90	Nissenkorn		07/11/89
	A15	4,978,341	12/18/90	Niederhauser		04/06/89
	A16	4,994,066	02/19/91	Voss		10/07/88
	A17	4,995,868	02/26/91	Brazier		09/26/89
	A18	5,026,377	06/25/91	Burton <i>et al.</i>		08/17/90
	A19	5,041,092	8/20/91	Barwick		10/30/90
	A20	5,059,169	10/22/91	Zilber		07/24/90
	A21	5,061,275	10/29/91	Wallsten <i>et al.</i>		12/29/89
	A22	5,078,720	01/07/92	Burton <i>et al.</i>		05/02/90
	A23	5,116,309	05/26/92	Coll		05/20/91
	A24	5,147,370	09/15/92	McNamara <i>et al.</i>		06/12/91
	A25	5,167,614	12/01/92	Tessmann <i>et al.</i>		10/29/91
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>		

<b>FORM PTO – 1449</b>				<b>ATTORNEY DOCKET NO.:</b> BSC-168DV			
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S):</b> Reeve			
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				<b>CONFIRMATION NO.:</b> 3812			
				<b>GROUP NO.:</b> 3763			
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	A26	5,207,672	05/04/93	Roth <i>et al.</i>			01/14/91
	A27	5,220,927	06/22/93	Astrahan <i>et al.</i>			03/15/90
	A28	5,221,253	06/22/93	Coll			05/20/92
	A29	5,224,953	07/06/93	Morgentaler			05/01/92
	A30	5,246,445	09/21/93	Yachia <i>et al.</i>			01/24/92
	A31	5,282,823	02/01/94	Schwartz <i>et al.</i>			03/19/92
	A32	5,300,022	04/05/94	Klapper <i>et al.</i>			11/12/92
	A33	5,346,467	09/13/94	Coll			06/11/93
	A34	5,352,198	10/4/94	Goldenberg <i>et al.</i>			11/24/93
	A35	5,354,263	10/11/94	Coll			06/21/93
	A36	5,354,309	10/11/94	Schnepp-Pesch <i>et al.</i>			10/13/92
	A37	5,356,423	10/18/94	Tihon <i>et al.</i>			04/22/93
	A38	5,364,340	11/15/94	Coll			07/02/93
	A39	5,372,600	12/13/94	Beyar <i>et al.</i>			05/10/93
	A40	5,380,299	01/10/95	Fearnot <i>et al.</i>			08/30/93
	A41	5,383,928	01/24/95	Scott <i>et al.</i>			08/19/93
	A42	5,391,196	02/21/95	Devonec			06/18/93
	A43	5,464,650	11/07/95	Berg <i>et al.</i>			04/26/93
	A44	5,514,178	05/07/96	Torchio			05/27/94
	A45	5,520,697	05/28/96	Lindenberg <i>et al.</i>			01/12/95
	A46	5,540,713	07/30/96	Schnepp-Pesch <i>et al.</i>			07/08/94
	A47	5,571,166	11/05/96	Dinh <i>et al.</i>			09/15/94
	A48	5,614,204	03/25/97	Cochrum			01/23/95
	A49	5,637,087	06/10/97	O'Neil <i>et al.</i>			03/22/95
	A50	5,637,113	06/10/97	Tartaglia <i>et al.</i>			12/13/94
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

<b>FORM PTO – 1449</b>				<b>ATTORNEY DOCKET NO.:</b> BSC-168DV			
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S):</b> Reever			
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<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	A51	5,649,977	07/22/97	Campbell			09/22/94
	A52	5,667,486	09/16/97	Mikulich <i>et al.</i>			04/26/94
	A53	5,674,241	10/07/97	Bley <i>et al.</i>			07/15/96
	A54	5,697,967	12/16/97	Dinh <i>et al.</i>			04/27/95
	A55	5,700,286	12/23/97	Tartaglia <i>et al.</i>			08/22/96
	A56	5,702,361	12/30/97	Evans <i>et al.</i>			01/31/96
	A57	5,707,386	01/13/98	Schnepp-Pesch <i>et al.</i>			01/22/94
	A58	5,722,984	03/03/98	Fischell <i>et al.</i>			01/16/96
	A59	5,728,068	03/17/98	Leone <i>et al.</i>			12/28/95
	A60	5,766,209	06/16/98	Devonec			02/16/94
	A61	5,766,209	06/16/98	Devonec			02/16/94
	A62	5,776,161	07/07/98	Globerman			10/16/95
	A63	5,779,732	07/14/98	Amundson			03/31/97
	A64	5,788,979	08/04/98	Alt <i>et al.</i>			02/10/97
	A65	5,792,400	08/11/98	Talja <i>et al.</i>			10/04/95
	A66	5,817,102	10/06/98	Johnson <i>et al.</i>			04/21/97
	A67	5,824,049	10/20/98	Ragheb <i>et al.</i>			10/31/96
	A68	5,830,179	11/03/98	Mikus <i>et al.</i>			04/09/96
	A69	5,833,651 A	11/10/98	Donovan <i>et al.</i>			11/08/96
	A70	5,833,707	11/10/98	McIntyre <i>et al.</i>			07/05/95
	A71	5,837,313	11/17/98	Ding <i>et al.</i>			06/13/96
	A72	5,851,231	12/22/98	Wolff <i>et al.</i>			12/04/96
	A73	5,860,999	01/19/99	Schnepp-Pesch <i>et al.</i>			11/25/97
	A74	5,865,815	02/02/99	Tihon			04/25/97
	A75	5,869,127	02/09/99	Zhong			06/18/97
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

<b>FORM PTO – 1449</b>				<b>ATTORNEY DOCKET NO.: BSC-168DV</b>			
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Reeve</b>			
				<b>SERIAL NO.: 10/736,493</b>			
				<b>FILING DATE: December 15, 2003</b>			
				<b>CONFIRMATION NO.: 3812</b>			
				<b>GROUP NO.: 3763</b>			
<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	A76	5,873,904	02/23/99	Ragheb <i>et al.</i>			02/24/97
	A77	5,876,417	03/02/99	Devonec <i>et al.</i>			07/09/96
	A78	5,882,335	03/16/99	Leone <i>et al.</i>			02/29/96
	A79	5,908,054	06/01/99	Safabash <i>et al.</i>			01/30/98
	A80	5,916,195	06/29/99	Eshel <i>et al.</i>			02/04/98
	A81	5,925,683	07/20/99	Park			10/17/96
	A82	5,928,208	07/27/99	Chu <i>et al.</i>			08/29/97
	A83	5,928,217	07/27/99	Mikus <i>et al.</i>			10/26/98
	A84	5,964,771	10/12/99	Beyar <i>et al.</i>			06/07/95
	A85	5,980,550	11/09/99	Eder <i>et al.</i>			06/18/98
	A86	5,993,445	11/30/99	Issa			01/23/97
	A87	5,997,468	12/07/99	Wolff <i>et al.</i>			08/04/97
	A88	6,017,977	01/25/00	Evans <i>et al.</i>			06/04/97
	A89	6,022,312	02/08/00	Chaussey <i>et al.</i>			05/01/96
	A90	6,022,334	02/08/00	Edwards <i>et al.</i>			04/17/98
	A91	6,033,413	03/07/00	Mikus <i>et al.</i>			04/20/98
	A92	6,053,900	04/25/00	Brown <i>et al.</i>			10/07/98
	A93	6,071,305	06/06/00	Brown <i>et al.</i>			11/24/97
	A94	6,080,190	06/27/00	Schwartz			04/29/98
	A95	6,096,070	08/01/00	Ragheb <i>et al.</i>			05/16/96
	A96	6,099,562	08/08/00	Ding <i>et al.</i>			12/22/97
	A97	6,099,563	08/08/00	Zhong			12/11/98
	A98	6,120,536	09/19/00	Ding <i>et al.</i>			06/13/96
	A99	6,139,536	10/31/00	Mikus <i>et al.</i>			07/26/99
	A100	6,146,373	11/14/00	Cragg <i>et al.</i>			10/17/97
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			



<b>FORM PTO – 1449</b>				<b>ATTORNEY DOCKET NO.:</b> BSC-168DV					
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S):</b> Reeve					
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				<b>CONFIRMATION NO.:</b> 3812					
				<b>GROUP NO.:</b> 3763					
<b>U.S. PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME		CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	A101	6,152,943	11/28/00	Sawhney				08/14/98	
	A102	6,160,025	12/12/00	Slaikeu <i>et al.</i>				04/14/99	
	A103	6,187,370 B1	02/13/01	Dinh <i>et al.</i>				09/16/99	
	A104	6,423,050 B1	07/23/02	Twardowski				06/16/00	
	A105	6,494,908 B1	12/17/02	Huxel <i>et al.</i>				12/22/99	
	A106	6,685,745	02/03/04	Reever				05/15/01	
<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLAS S	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	0 467 516 A1	01/22/92	EP			05/23/91	N	Y
	B2	0 935 977 A3	08/25/99	EP			02/04/99	N	Y
	B3	0 547 530	09/11/96	EP			12/12/92	N	Y
	B4	2 767 673 A1	03/05/99	FR				N	N
	B5	91/12779	09/05/91	WO			02/28/91	N	Y
	B6	96/02210	02/01/96	WO			06/29/95	Y	Y
	B7	97/37717	10/16/97	WO			04/09/97	N	Y
	B8	99/23952	5/20/99	WO			11/11/98	N	Y
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
EXAM. INIT.	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
	C1	International Search Report for PCT/US02/14704.							
	C2	The Merck Index, 12 <sup>th</sup> Edition, Susan Budavari, Editor, THER-8, 17, 23, and 27, Merck Research Laboratories, Whitehouse Station, NJ. (1996).							
	C3	Soni <i>et al.</i> , "Use of Memokath, s Second Generation Urethral Stent for Relief of Urinary Retention in Male Spinal Cord Injured Patients," <u>Paraplegia</u> , 32:480-488 (1994).							
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				